

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF OKLAHOMA

LOIS FOSTER,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Case No. CIV-10-758-F
	)	
MERIT ENERGY COMPANY,	)	
	)	
Defendant.	)	

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**NOTICE OF SUPPLEMENTAL AUTHORITY**

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Defendant Merit Energy Company, through its undersigned counsel, notifies the Court of the issuance of an Order in the case of *Tucker v. BP America Production Company*, Case No. CIV-08-619-M (W. D. Okla. December 2, 2011, Docket No. 154), a copy of which is attached. The Order is the first decision regarding class certification of a natural gas royalty case to be issued after the Supreme Court's decision in *Wal-Mart Stores, Inc. v. Dukes*, 131 S. Ct. 2541 (2011). It is therefore relevant to the pending motion for class certification filed by plaintiff in this case.

Dated December 6, 2011

Respectfully submitted,

/s/ Ryan J. Reaves

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CERTIFICATE OF SERVICE

I hereby certify that on this \_\_\_\_ day of December, 2011, a true and correct copy of the foregoing NOTICE OF SUPPLEMENTAL AUTHORITY was served via PACER and placed in the United States mail, postage prepaid, addressed to:

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